S. HRG. 100-875

NOMINATIONS—JULY-SEPTEMBER

HEARINGS

BEFORE THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

SECOND SESSION

ON

JULY 14, 1988

LESLEE ALEXANDER, TO BE A MEMBER OF THE BOARD OF DIRECTORS, CORPORATION FOR PUBLIC BROADCASTING

SEPTEMBER 9, 1988

B. KENT BURTON, TO BE ASSISTANT SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, DEPARTMENT OF COMMERCE

SEPTEMBER 15, 1988

THOMAS GRISCOM, TO BE A MEMBER OF THE BOARD OF DIRECTORS, COMMUNICATIONS SATELLITE CORPORATION

Printed for the use of the
Committee on Commerce, Science, and Transportation

U.S. GOVERNMENT PRINTING OFFICE

89-835 O WASHINGTON : 1988

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

SQ61-12.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ERNEST F. HOLLINGS, South Carolina, *Chairman*

DANIEL K. INOUYE, Hawaii
WENDELL H. FORD, Kentucky
DONALD W. RIEGLE, JR., Michigan
J. JAMES EXON, Nebraska
ALBERT GORE, JR., Tennessee
JOHN D. ROCKEFELLER IV, West Virginia
LLOYD BENTSEN, Texas
JOHN F. KERRY, Massachusetts
JOHN B. BREAUX, Louisiana
BROCK ADAMS, Washington

JOHN C. DANFORTH, Missouri
BOB PACKWOOD, Oregon
NANCY LANDON KASSEBAUM, Kansas
LARRY PRESSLER, South Dakota
TED STEVENS, Alaska
ROBERT W. KASTEN, JR., Wisconsin
PAUL S. TRIBLE, JR., Virginia
PETE WILSON, California
JOHN MCCAIN, Arizona

RALPH B. EVERETT, *Chief Counsel and Staff Director*
WALTER B. MCCORMICK, JR., *Minority Chief Counsel and Staff Director*

CONTENTS

Page

Opening statement by Senator Inouye 1
Opening statement by Senator Gore 2
Opening statement by Senator Pressler 3
Opening statement by Senator Rockefeller 3
Opening statement by the Chairman 4
Opening statement by Senator Kasten 5

LIST OF WITNESSES

JULY 14, 1988

Alexander, Leslee 8
Biographical sketch 6
Letter of July 29, 1988 14
Sasser, Hon. James R., U.S. Senator from Tennessee, statement 2
Prehearing questions of Senator Inouye and the answers 13

SEPTEMBER 9, 1988

Opening statement by Senator Breaux 17
Opening statement by the Chairman 18
Opening statement by Senator Stevens 26
Burton, B. Kent 22
Biographical sketch 19
Hatch, Hon. Orrin G., U.S. Senator from Utah, statement 21
Prehearing questions of the Chairman and the answers 29

SEPTEMBER 15, 1988

Opening statement by Senator Inouye 37
Griscom, Thomas C 38
Biographical sketch 38

LESLEE ALEXANDER, TO BE A MEMBER OF THE BOARD OF DIRECTORS, CORPORATION FOR PUBLIC BROADCASTING

TUESDAY, JULY 14, 1988

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION,
Washington, DC.

The committee met, pursuant to notice, at 9:10 a.m. in Room SR-253, Russell Senate Office Building, Hon. Daniel K. Inouye presiding.

Staff members assigned to this hearing: Toni Cook, staff counsel and Ruth Johnson, minority professional staff member.

OPENING STATEMENT BY SENATOR INOUYE

Senator INOUYE. This morning we gather to consider the nomination of Mrs. Honey Alexander to be a member of the Board of Directors of the Corporation for Public Broadcasting.

The CPB, created by Congress to ensure the viability of the American public broadcasting system, remains an important resource for non-commercial stations throughout the country.

In the 20 years since the CPB was created, our public broadcast system has grown and developed into a system of which we can be proud. Our local stations are committed to serving the needs of their communities through both local and national programs. The role of the CPB is to ensure the stations are able to provide quality programming and promote the expansion of our public broadcast system to increase the number of Americans served.

The CPB Board of Directors has the responsibility of working with our public stations and determining how the CPB can achieve these goals.

Public broadcasting fulfills a great need in these United States, therefore it needs strong, reliable leaders who will support its continued growth and development. Our task this morning is to ensure that the leaders of the CPB are qualified for their position and will ensure the continued integrity of the CPB.

Mrs. Alexander, through her public service activities, has already demonstrated a commitment to the development of public broadcasting. She serves on the Board of Directors of PBS and is a member of the Nashville Public Television Council.

And in behalf of the Committee, Mrs. Alexander, welcome and we look forward to hearing your views on your public broadcast

system and what you see as your role as a member of the Board of the CPB.

And I am pleased to now recognize our very distinguished member, the Senator from Tennessee, Senator Gore.

OPENING STATEMENT BY SENATOR GORE

Senator GORE. Well Mr. Chairman, thank you. As a member of the Subcommittee, I am particularly pleased to be able to introduce to our Subcommittee today Leslee (Honey) Alexander, who has been nominated to the Board of Directors of the Corporation for Public Broadcasting.

I think it is also appropriate to welcome Honey Alexander back to the United States Senate, where she served as a staff member in the 1960's, on the staff of Senator John Tower of Texas.

Mrs. Alexander's experience and commitment make her, in my view, an ideal candidate for the CPB Board. This really is an excellent choice. She currently serves on the Board of Directors of the Public Broadcasting Service and is a member of the Nashville Public Television Council. In addition to this important experience in public broadcasting, Mrs. Alexander would bring an important voice to the CPB Board as a leader in children's initiatives, and a vigorous supporter of quality children's programming.

She has served as a marketing and program development consultant to Corporate Child Care, Incorporated and was the Chair of Tennessee's Healthy Children Initiative from 1982 to 1986.

Mrs. Alexander has been actively involved in a number of children's causes ranging from the State of Tennessee's Day Care Task Force to the Youth Alcohol and Drug Abuse Task Force. And the people of our state know her as an extremely able advocate for children and for public broadcasting.

I hope the members of our Committee will join me in strong support for Mrs. Alexander's nomination to the CPB Board, and I urge that her nomination move to a speedy Committee and Senate confirmation.

Senator INOUYE. Thank you very much, Senator. It is now my privilege to call upon the Senator from Tennessee, Senator Sasser.

STATEMENT OF HON. JAMES R. SASSER, U.S. SENATOR FROM TENNESSEE

Senator SASSER. Thank you very much, Mr. Chairman.

I am pleased to be here this morning to have this opportunity to support the nomination of Honey Alexander to the Board of Directors of the Corporation for Public Broadcasting.

As you know, Mrs. Alexander is the former first lady of the State of Tennessee. I have had the pleasure of knowing her for a great number of years and I can attest to her deep commitment to public service and to the principles of public broadcasting.

To put the case as concisely as I can, I do believe that Honey Alexander is a superb choice for the public broadcasting board.

The Public Broadcasting Corporation is an expression of this country's powerful commitment to excellence in communication, to the highest quality in informational and public service broadcasting.

As the Chairman knows, during my years in the Senate, I have been a strong proponent of public broadcasting as a member of the Senate Appropriations Committee. In my judgment both national public radio and the public broadcasting networks around the country provide innovative, creative broadcasting that I am sorry to say is not always available on commercial television.

I have always believed that national public broadcasting is an absolutely vital resource for this country and that is why I think Mrs. Alexander is such an excellent choice for this Board. For years now she has been deeply committed to the environment, to child care and especially to education. And my junior colleague, Senator Gore, has very, very ably given a concise presentation of her very distinguished resume here today. But I just might add that I am particularly pleased that as a mother, as a wife of a public official, as one who has been in the public service and on the periphery of public service for so many years, I am delighted that Mrs. Alexander will make herself available for this position on the Board of the Corporation for Public Broadcasting, and I am pleased to enthusiastically support her nomination, Mr. Chairman.

Senator INOUYE. Thank you very much, Senator. Senator Pressler.

OPENING STATEMENT BY SENATOR PRESSLER

Senator PRESSLER. I certainly want to welcome our two Senators and our distinguished nominee. We are very happy to see such an able person here.

I especially appreciate public broadcasting, living on Capitol Hill. My wife and I live a few blocks from here, where we cannot get cable, so we have to depend on public TV and the networks, and there is not much question about what I watch.

I am concerned that public TV in this country maintain a careful balance in its programming between the right and the left. That is not always easy to do, but it is possible. Ted Turner, for example, has created great news programming on CNN that is not accused of being left or right. The kind of balance and respect that CNN has earned is an example to all. On foreign policy issues, public TV sometimes has been accused of taking a left-leaning point of view in some programs. The program they did on Africa a year or two ago is a good example. Public TV excused itself by saying that it did not make the program. It was made by a foundation. But public TV does decide which programs to show.

So there is controversy, and I hope that all those conncected with public TV will try to take a more balanced approach in the future. I know you certainly will. This can be a difficult task. There is a general feeling in this country that public radio and TV leans to the left, and I hope you will help to restore a balance.

Senator INOUYE. Thank you very much. Senator Rockefeller.

OPENING STATEMENT BY SENATOR ROCKEFELLER

Senator ROCKEFELLER. Thank you, Mr. Chairman.

I strongly support the nomination and hopefully the confirmation of Mrs. Alexander. I do not think her problem is going to be so much trying to keep public television leaning to the right or to the

left, but to keep public television in business, and getting enough money.

I think sometimes one watches the news around this capitol city of our nation and one sees violence of such proportions, and I have talked about this before, Mrs. Alexander, but there is a feeling in this capitol city of our nation that to bleed—you have to bleed to lead. That is, there has got to be a violent accident or a horrible drug occurrence of some sort, death almost absolutely required to get to the top of the news.

One station tried to hold off on that and found its ratings slipping dramatically in our nation's capitol. So it went to "bleed is to lead 'as their philosophy too, and that is what we watch every night.

I do not know whether violence is to the right or to the left, but I know it is wrong and I know that it does not help the American people understand issues, either social, educational or of any sort before us. And as a result I think our commercial television is doing less and less of a good job in news. I always used to exempt news when I criticized commercial television. I now include news because I think it has slipped quite substantially in the last several years.

So I think that makes public television more important. I think there are more people watching public television, it is being used in teaching much more. We use it in West Virginia for basic math and science skills where teachers are in shortage and I am sure that is also true in the State of Tennessee.

You yourself have been heavily involved with children's issues. As a matter of your avocation and interests in life, you have been involved with television both at the PBS level and at the Nashville level. You and I have talked about this for a number of years and I think that your contribution on CPB, which seeks good members, there has been controversy on that Board for some years now. Now it has sort of slipped into a period of quiescence where it really is not exerting a great deal of leadership, perhaps recoiling from any kind of controversy. I think you are the kind of steady hand and cool head and experienced person who could provide leadership, and I strongly and warmly endorse your nomination.

Thank you, Mr. Chairman.

Senator INOUYE. Thank you very much.

I have statements from Senators Hollings and Kasten in support of the nomination of Mrs. Leslee Alexander. Without objection, it will be made part of the record along with your biographical sketch.

[The statement and biographical sketch follow:]

OPENING STATEMENT BY THE CHAIRMAN

The Senate Commerce Committee has a long history of support for our nation's public broadcasting system. Public broadcasting provides the American people with important informational and entertainment programming that has little or no chance of surviving in the commercial marketplace. Thus fundamental underpinning for public broadcasting remains as true today as it did 20 years ago when we created our modern system of public broadcasting.

Public broadcasting has grown greatly since its beginnings. Many Americans rely on public broadcasting for substantive in depth treatment of current issues that commercial programs do not provide. In addition, public broadcasting brings cultur-

al events like the Boston Pops into homes of many who might never travel to Boston. In the area of education, public broadcasters work with our schools and universities to expand and supplement their curriculum. Public broadcasting is one of the most economical and efficient mechanisms of distributing educational information to our children, both in their homes and schools.

The purpose of the CPB is to assist our public stations to continue this trend. To accomplish this goal, the Board Members of the CPB must be sensitive to the needs of both the stations and the public. Most importantly, CPB Board members must be committed to the improvement of and expansion of public broadcasting. Specifically, this Committee is concerned that there is still a need to increase the amount of programming addressing the needs of unserved and underserved audiences, such as children and minorities. I look forward to discussing these goals with Mrs. Alexander today.

Opening Statement by Senator Kasten

Mr. Chairman, I am pleased to enthusiastically support the nomination of Leslee Alexander to be a member of the Board of Directors of the Corporation for Public Broadcasting (CPB). She is presently serving on the Board of the Public Broadcasting Service, among other organizations, and will be an excellent addition to the Board at CPB.

Mrs. Alexander has a distinguished record of active involvement with organizations or entities dealing with public broadcasting, child and youth health issues, and other civic issues. Her interest and leadership in these activities will certainly stand her in good stead in this new position. I am particularly impressed by Mrs. Alexander's interest in the well-being of young people, and know that she will bring that background to CPB.

I commend the President on his nomination of Mrs. Alexander to the Board of CPB, and thank you, Mr. Chairman, for scheduling this hearing. I am sure that this nomination will proceed quickly and positively through this Committee and see floor action on confirmation in the near future. I look forward to having Mrs. Alexander on CPB's Board.

ERNEST F. HOLLINGS, SOUTH CAROLINA, CHAIRMAN
DANIEL K. INOUYE, HAWAII
WENDELL H. FORD, KENTUCKY
DONALD W. RIEGLE, JR., MICHIGAN
J. JAMES EXON, NEBRASKA
ALBERT GORE, JR., TENNESSEE
JOHN D. ROCKEFELLER IV, WEST VIRGINIA
LLOYD BENTSEN, TEXAS
JOHN F. KERRY, MASSACHUSETTS
JOHN B. BREAUX, LOUISIANA
BROCK ADAMS, WASHINGTON
JOHN C. DANFORTH, MISSOURI
BOB PACKWOOD, OREGON
NANCY LANDON KASSEBAUM, KANSAS
LARRY PRESSLER, SOUTH DAKOTA
TED STEVENS, ALASKA
BOB KASTEN, WISCONSIN
PAUL S. TRIBLE, JR., VIRGINIA
PETE WILSON, CALIFORNIA
JOHN McCAIN, ARIZONA
RALPH B. EVERETT, CHIEF COUNSEL AND STAFF DIRECTOR
W. ALLEN MOORE, MINORITY CHIEF OF STAFF

United States Senate

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

WASHINGTON, DC 20510-6125

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

(If more space is needed, please use attached REMARKS sheet)

A. BIOGRAPHICAL DATA

1. Name: Alexander (Last) Leslee (First) Buhler (Other)

Address: 2210 Golf Club Lane (Current residence) Nashville, TN 37215
631 Second Avenue, South, Suite 2R (Business) Nashville, TN 37210

2. Position to which nominated: Board of Directors Corporation for Public Broadcasting
Date of nomination: February 9, 1988

3. Date of birth: October (month) 12, (day) 1945 (year)
Place of birth: Los Angeles, CA

4. Marital status: Married
Full name of Spouse: Andrew Lamar Alexander, Jr.

5. Names and ages of children: Andrew Franklin Alexander (18); Leslee Taylor Alexander (16); Kathryn Rankin Alexander (13); William Houston Alexander (8)

6. Education:

Institution	Dates attended	Degrees received	Dates of degrees
Smith College, Northampton, Mass	1963-1967	B.A.	1967

7. Employment record: List all positions held since college, including the title or description of job, name of employer, location of work, and dates of inclusive employment.

From	To	Name of employer	Address	Type of work
7/67	8/69	Senator John G. Tower	Old Senate Office Building	Staff Assistant
12/87	Present	Corporate Child Care, Inc.	631 Second Ave., South Nashville, TN 37212	Marketing and Program Development Consultant

8. Government experience: List any experience in or direct association with Federal, State, or local governments including any advisory, consultative, honorary or other part-time service or positions.

Spouse of Governor of Tennesee	1979-1987
Chair, Mental Retardation Prevention Task Force, State of Tennessee	1980-1982
Chair, Healthy Children Initiative, State of Tennessee	1982-1986
Member, Youth Alcohol and Drug Abuse Task Force, State of Tennessee	1985
Member, Day Care Task Force, State of Tennessee	1986
Member, Southern Regional Task Force on Infant Mortality	1985

9. Political affiliations activities: List all memberships and offices held in or financial contributions and services rendered to all political parties or election committees during the last 10 years.

Member, Davidson County Republican Women

$100 contribution to Howard Henry Baker for President campaign

Active participation in Lamar Alexander for Governor campaigns

Periodic appearances for other Republican candidates for state and national offices.

10. Memberships: List all memberships and offices held in professional, fraternal, scholarly, civic, charitable, and other organizations.

Public Broadcasting Services, Board of Directors

Family Service America, Board of Directors

Family and Children's Service of Nashville, Board of Directors

Junior League of Nashville, member

Association for Young Children, member

The Nature Conservancy, member

Vanderbilt College of Nursing, Board of Visitors, member (CONTINUE ON REMARKS SHEET)

11. Honors and awards: List all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Because of my work with a variety of agencies and organizations on behalf of children, I have been given awards by the Tennessee Association for Young Children, the Tennessee Pediatric Association, the Tennessee Association for Retarded Citizens and many others.

12. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials you have written.

I have been involved in the writing and publication of a variety of reports relating to the above task forces and committees but am not the author of any of them.

H. REMARKS

Item 10 - List of Memberships (continued)

Vanderbilt Institute for Public Policy Studies, Advisory Committee, member

Friends of Children's Hospital, Vanderbilt University, member

Nashville Academy Theatre, member

Tennessee State Museum, member

Nashville Public Television Council, member

National Wildlife Federation, member

Alumnae Association of Smith College, member

Alumni Association of St. Stephen's School, member

Leadership Nashville Alumni Association, member

Senator INOUYE. Mrs. Alexander, I have had the privilege of presiding over nominations for the past 15–20 years and very seldom have I seen six Senators step forward to speak in behalf of any nominee.

If we were smart, we would adjourn at this point and just report your nomination. But if we may, we would like to hear from you, and the floor is yours, madam.

STATEMENT OF LESLEE (HONEY) ALEXANDER

Mrs. ALEXANDER. Thank you very much, Mr. Chairman.

I am honored to have received the nomination of the President to the Board of Directors of the Corporation for Public Broadcasting, and I am honored that you all will be here today to ask me questions and to support my nomination. I appreciate especially the support of my senior Senator Jim Sasser, and the junior Senator from Tennessee Al Gore. I know that their support has made a big difference in my confirmation hearings. And during this entire process, I really have depended on them to help me see that there was light at the end of the tunnel.

For almost 20 years, I have watched and participated in the growth of America's public broadcasting services. I care about what it is doing and where it is going.

As a parent, I have seen "Sesame Street" teach our children to say the numbers and letters, as well as learn more about the world around them. I have seen Mr. Rogers and his friends come into our home to entertain and expand our children's horizons. And, too, as a parent, I have been enlightened and informed by "All Things Considered" as I drive children to soccer practice, basketball games and dental appointments.

As a citizen, I value the depth and breadth of that reporting and analysis just as I do the news and information of the MacNeil-Lehrer team. These are unique opportunities for me to continue my own education about the world in which we live.

As a child advocate, I am heartened by and enthusiastic about public television's efforts to network with so many others for improvements in some of our country's most pressing problems: drug abuse, illiteracy, child care and others.

As a lover of the natural world, I am inspired by and revel in "Nature" and the National Geographic specials, and from Carl Sagan I learned about my cousin the tree, and so much more.

As a political spouse, I have traveled to areas of our country where ballets and symphonies have never been performed, and I know how public radio and television bring the performing arts into these communities, opening horizons for young and old, and even inspiring them to expand activities in their own communities.

As an armchair historian, I have seen history through "Vietnam" and "Civilization and the Jews."

There is so much excellence in public broadcasting. And that is what public broadcasting is all about; bringing quality programs to all Americans in a way no other broadcasters do.

Even today, with the challenges and changes which cable and video are bringing into our homes, we know that excellence will be

found on the public airways at any time. We need to make sure that it stays there.

Why, we are asked, since commercial entities are beginning to bring so many of the same programs on the air without delving into the public pocket.

My own answer is that public broadcasting has a special mission. That mission is to serve in unique ways all of our citizens, but most especially groups of our population who are not served well by other entities. Where else do you see consistent quality programs for children, for minorities? Where else can you find outreach efforts which touch and change the lives of persons involved with chemical dependency, adults in search of literacy, or parents concerned about quality day care for their children? Where else could education be so full of impact on so many students?

This mission is accomplished in special ways because the people involved with public broadcasting services at all levels, from cameramen and women to reporters to actors to Board members, see the specialness of their work in this mission; quality, excellence, education, entertainment, outreach.

Because the work is special, it is not always easy. There are problems in public broadcasting today, and I would assume there always will be. Good things are often hard to achieve.

And because the system is young, 20 years old last year, the services are still in the throes of growing pains. As the parent of three teenagers, I for one would prefer fully developed adults before children hit adolescence. Similarly, as those involved with public broadcasting, we would like there to be no more public differences of opinions between the parts of this grand mission. But differences are there, of vantage points, experiences, abilities, responsibilities. We must not concentrate on the differences but instead use the positive energy and ability which so many possess and channel them in common directions, just as we try to assist our own children through their growing pains.

That is what I would like to see at the Corporation for Public Broadcasting, cooperation and leadership for the strength and well-being of broadcast services which are very important in our country today and in the future.

Thank you, Mr. Chairman.

Senator INOUYE. Thank you very much, Mrs. Alexander.

I would like to now recognize Senator Pressler.

Senator PRESSLER. One thing that I am very interested in is the scrambling decision by public broadcasting. Why, in your view, has public broadcasting scrambled its signal?

Mrs. ALEXANDER. That is an area that I really do not know that much about, Senator. I am sorry.

I have concentrated more on the programming end of the services at public broadcasting, and I know there are many issues that I still do not understand even after four years on the PBS Board.

My hope is that we could have public broadcasting that could reach all of the people, and I am really more concerned about the cable decisions of late, and feel that the must-carry decisions in the FCC really hamper what we are trying to do as far as broadcasting goes.

Senator PRESSLER. Were you on the Board when the decision to scramble was made?

Mrs. ALEXANDER. I do not believe so. I do not know when that was.

I was out of the country for 6 months last year, so I have missed some things through that too. I am sorry.

Senator PRESSLER. This is one of the big issues with people around the country who cannot get cable, and a lot of them live in my state and I know that Senator Gore has sponsored an amendment, which I am cosponsor of, to the CPB reauthorization legislation requiring public broadcasting to maintain a clear feed of its program schedule to home satellite dish owners.

I feel very strongly about this, and I would like for you to state your position on this for the record.

Mrs. ALEXANDER. I would like for public broadcasting to go into all homes and if that means through satellite dishes, that is something I would be in favor of doing and not scrambling those broadcasts.

Senator PRESSLER. Did you fight for this during your time on the Board?

Mrs. ALEXANDER. No, I have not.

Senator PRESSLER. Why not?

Mrs. ALEXANDER. Well frankly it has not been an issue in the Board meetings that I have attended. I have been on the Executive Committee for two years. As I said, I did have an interrupted six months last year when we were out of the country.

It just has not been an issue that has been brought before the Board, and maybe I am remiss in not bringing that issue to the Board.

Senator PRESSLER. I would like a statement from you as to why you have not been involved in this issue. You might have a good reason, maybe you were not in a position to be. But it is a big issue for people who are living on a ranch out in western South Dakota and cannot get cable. A lot of people cannot get cable. In fact, I cannot get cable at the two places I live. I live in Washington, DC, and Humboldt, SD, and I cannot get cable in either place. I am culturally deprived.

But I do think that everybody who is on this Board should know about this and this Senator would like, before this nominee goes forward, to see you inform yourself and in writing tell us what you have done or have not done, what opportunities you have had to work on this and what you plan to do in the future.

Mrs. ALEXANDER. I will be glad to address that issue, Senator, thank you.

Coming from the hills of Tennessee where cable does not go either, I know that that is a problem and that is part of the reason why we have so many public broadcasting stations in the State of Tennessee, because those airwaves are interrupted by our hills.

Senator PRESSLER. I would have hoped with that concern and coming from the hills of Tennessee, you would have been a very outspoken Board member on this subject, which is so important to those people.

Mrs. ALEXANDER. Thank you.

Senator PRESSLER. So I will look forward to your written comments.

Mrs. ALEXANDER. Thank you.

Senator INOUYE. Senator Gore.

Senator GORE. Thank you, Mr. Chairman.

I have made my comments already and I really have no questions. I might just respond on this issue because I have taken the time to look into it pretty carefully.

Really what happened is public broadcasting had no intention of depriving satellite dish owners of an open signal. They wanted to advance the quality of the service they provided by moving to digital audio stereo. It turned out that the cheapest technology for distributing the stereo signal was the very same scrambling unit that had come down in cost because it was mass produced for the scrambling of commercial premium programming. And so they used the same technology in order to distribute the digital audio stereo to their outlets.

Well they did not realize what problems that would cause and they have now pledged to maintain an open signal, even if they have to duplicate that signal on another satellite transponder for the owners of satellite dishes.

And so while a satellite dish owner in Tennessee or South Dakota might turn to a public broadcasting station listed in their satellite TV guide and find a scrambled signal, they will be able to turn to another transponder and find the very same signal in an unscrambled form.

We put that requirement into the law with the amendment that we introduced here and that the Chairman very graciously accepted and supported, and I think we are on the way to a solution.

So I think that rather than trying to complicate the situation for rural viewers, they were really trying to improve the service and have now found a way to provide stereo and simultaneously ensure the availability of an unscrambled signal. So that should certainly not be a problem.

Senator PRESSLER. I appreciate that because what was happening was that many taxpayers were coming forth saying I am paying my taxes and I have put up a dish and my public broadcasting signal is scrambled. That has not been corrected yet, but we need to be very vigilant because the purpose of public television is to reach areas of Washington, DC and elsewhere. Of course, here we have a broadcast signal, but points where there is not cable. And I hope that is resolved soon. Do we have a timetable on when that signal will be descrambled?

Senator GORE. It is a clear feed now. The only reason there is confusion about it people will look in their guides and see a public broadcasting program listed on a particular transponder and they will move the dish to point toward that satellite and turn to that transponder and they get a scrambled signal, and it understandably makes them mad. What many people do not understand is if they will look further in the guide, they will find listed under another transponder the very same program in an unscrambled signal. And maybe the publishers of these guides could help out the viewers a little bit more by noting under the listing for the scram-

bled program where they could turn to find the unscrambled feed. That might be an easy solution for it.

Let me insert a commercial here. I am hoping that in August we are going to take up the legislation to require competition in commercial premium programming to get the cost of the programs that have to be descrambled down to a competitive level through competition. So we are going to be taking that up also.

But this is something that is already available, should not be a problem and we are going to make sure that it does not re-emerge as a problem.

Senator INOUYE. Thank you very much.

As you can see, fortunately we do have an expert on scrambling here and I am looking upon him to assist me in getting my cable in Montgomery County.

Senator GORE. You know, if you get a satellite dish, you will not have to worry about that.

Senator INOUYE. Is that what it is?

Senator GORE. Yes. I would bet we could get you a good deal on it too, Mr. Chairman.

Right at the market price.

Senator PRESSLER. You have to have a permit to get one in the District of Columbia and it takes up to a year to get a permit.

Senator GORE. For a satellite dish?

Senator PRESSLER. Yes.

Senator GORE. Zoning problems. Well Barry Goldwater used to fight against that and I joined him in doing it.

Senator INOUYE. Do you have any thoughts on the underwriting of public broadcasting, commercials on public broadcasting?

Mrs. ALEXANDER. I am against commercials on public broadcasting, and I think that the PBS Board this spring did address that issue and they changed some of their recommendations to the stations and I think they have cleaned up some of the clutter that were in those commercials—not the commercials, even I get confused—just the underwriting credits. I think it is very important that we do show the private entities who are giving so much money to public broadcasting, that we appreciate their support. But there are ways to do it on air that are not regarded as commercial. And I think that has been done.

Senator INOUYE. As a member of the Board, what would you be concentrating on during the next five years?

Mrs. ALEXANDER. I think we need to concentrate on keeping the services on air, that is a big issue. We need the support of Congress. We need to make sure that the programming that gets on air is quality programming. I think the issues that Senator Pressler addressed of balance within a program are important. I am more interested in seeing balance within the whole system so that you have a balanced program schedule. I do not mind controversy, but I think you need to be able to give all points of view. I think those are important issues. Funding is obviously important. The whole satellite issue is obviously very important. If we do not get a new satellite up there, we will have no broadcasting at all.

Senator INOUYE. Mrs. Alexander, I thank you very much for your presence here this morning and I am pleased to advise you that soon after our return from the Convention in Atlanta, we hope to

schedule a mark up and at that time your nomination will be on the agenda and I am certain it will be approved without any problems.

Congratulations.

Mrs. ALEXANDER. Thank you very much, Mr. Chairman.

Senator INOUYE. Thank you very much.

We will stand in recess for two minutes.

[Whereupon, at 9:38 a.m., the Committee was recessed.]

[The following information was subsequently received for the record:]

PREHEARING QUESTIONS OF SENATOR INOUYE AND THE ANSWERS THERETO

Question 1. Whether the Board of Directors of the Corporation for Public Broadcasting should have any input in determining appropriate program content has been a controversial topic. What is your position on this issue?

Answer. The Board of Directors of the Corporation for Public Broadcasting should not determine program content. The Board should act as a policy-setting body, involved with programming through the setting of broad public service goals.

Question 2. What areas of public broadcasting deserves top priority?

Answer. Systemwide programming of the highest quality, and unique to broadcasting in the United States today, must continue to be the top priority of America's public television and radio services. Almost as important is making sure that the American people find out about these programs and watch them. The system (stations, PBS, NPR, NAPTS, CPB) must work together to make sure priorities are met. If not, public television and radio will not and should not survive.

Question 3. In what areas of public broadcasting do you take special interest?

Answer. Programs which address the needs of citizens who are not served adequately through other broadcast entities and which address problems and concerns in unique ways should continue to be an important part of public broadcasting. Special groups include children of all ages and minority populations, and unique programming includes the television Outreach efforts and news and public affairs. In addition, there is an important role for public broadcasting to play in meeting the educational needs of our citizens today. With a greater emphasis on educational programming, public broadcasting can assist in preparing old and young for the twenty-first century.

Question 4. One of the issues that has arisen repeatedly in connection with the Corporation for Public Broadcasting is the propriety of federal funding for public broadcasting. Do you support federal funding as a method of financing public radio and television?

Answer. Federal funding is essential to the health and well-being of public broadcasting at this time.

Question 5. What are your views on alternative financing for public broadcasting?

Answer. Due to budgetary constraints on all levels of government and knowing that public-private partnerships foster strong services, more attention should be placed on finding new sources of funding, both public and private.

Question 6. Do you believe that federal assistance in the production of programs should in any way restrict the subject matter or of viewpoints expressed in such programs?

Answer. Federal assistance should not be contingent upon nor restrict the subject matter or viewpoints expressed on individual programs. However, the system must be vigilant to present a balanced program schedule of the highest caliber.

Question 7. Do you support the broadcast of advertisements on public broadcast stations?

Answer. Commercial advertising should not be permitted on public broadcasting.

Question 8. Do you believe that your service on the Board of Directors of the Public Broadcasting Service and the Nashville Public Television Council will cause any conflicts of interest if you are simultaneously serving on the Board of Directors of the CPB?

Answer. Involvement in a variety of broadcasting endeavors should enhance my understanding of and commitment to the success of these exciting, important and challenging enterprises.

89-835 0 - 88 - 2

JULY 29, 1988.

Hon. LARRY PRESSLER,
411 Senate Russell Office Building,
Washington, DC.

DEAR SENATOR PRESSLER: At the hearing on confirmation of my nomination as a Director of the Corporation for Public Broadcasting, you asked me about the policy and practice of the Public Broadcasting Service (PBS) regarding the "scrambling" of satellite transmissions of public television programs, and about my involvement in that policy during the time I have served as a Director of PBS.

I indicated at the hearing that I thought I might have been out of the country when the PBS Board was considering this question; and since the hearing I have confirmed that this was the case.

The Executive Committee of the PBS Board adopted a policy on "Satellite Distribution of PBS Programs and Services" at its meeting of March 11-12, 1987. The executive Committee's report of its action was reviewed by the full Board of Directors at its meeting of April 29, 1987. I was in Australia from January to July, 1987, and during that time on a leave of absence from my duties as a PBS Director.

Public television's broadcast station signals now reach more than 95% of the public, and I believe that CPB and PBS should be encouraged to do all that they can to improve the scope and quality of these broadcast services. I understand, for example, that the use of this new inexpensive digital satellite transmission technology has in turn encouraged the local stations to install stereo transmitters, so that today stations reaching more than 60% of the potential audience are transmitting in stereo.

PBS's use of the VideoCipher II digital transmission technology is benefiting not only public television's broadcast viewers, but also the increasing number of home satellite dish owners who have installed VC II decoders in order to receive the various satellite-delivered cable program services. I am told that PBS uses the "fixed key" or "public key" mode for its general audience programs, so that any VC II owner can receive the signal—including any available enhancements such as stereophonic sound, multilingual audio, or Descriptive Video Service—automatically without the need for any "authorizing signal" from or payment to PBS. Indeed, I am told that a principal reason why PBS chose the VC II system over other possible approaches was the likelihood that because that system seemed to be developing as the de facto industry standard, the home receivers would be widely and inexpensively available.

Public television's broadcast services are now being viewed by 100 million Americans every week, and its digital satellite transmissions are reaching hundreds of thousands of dish owners who have VC II decoders. At the same time, however, PBS recognizes that were it to use the VC II system for *all* of its transmissions, that would have the effect of denying access to public television to hundreds of thousands of other home dish owners who do not have VC II decoders and who live beyond the reach of public television broadcast or cable transmissions. Accordingly, the policy adopted last year by its Executive Committee assures that PBS will maintain at least one "clear" transmission (i.e., *not* VC II-encoded) of each program in its National Program Service. In this way, every PBS program that is available to general audience viewers nationwide through the broadcasts of the local public television stations will also be available to home satellite dish owners.

I am told that PBS began to use VC II for some of its satellite transmissions in April of this year; and that, while VC II-equipped dish owners applaud the improved service, there has been confusion and annoyance among dish owners not equipped with VC II because they have not been able to get reliable information as to the schedule for PBS's "clear feeds." There are several publications available which list the schedules for satellite transmissions, but they are not publishing all of the information that PBS is providing.

PBS management advises me that they have initiated several actions to try to overcome this problem:

1. PBS is supplying program schedule information for all transponders to the satellite dish magazines, and continuing to work with them to encourage their publication of as much of that information as possible.

2. PBS and other public television organizations use three transponders and part of a forth on the Westar IV satellite. PBS has worked to configure the satellite feed schedule so that almost all of the "clear" National Program Service transmissions can now be found on one transponder (Channel 17), and that channel is usually completely unencoded from sign-on in the morning through the end of the prime-time schedule at night.

3. Regional public television networks and other users of the public television satellite distribution system are also making their satellite schedules available to the dish magazines.

4. PBS is transmitting "slates" on the satellite throughout the day, with the latest information on the clear feed schedule for the current and following day.

5. PBS has established a Satellite Scheduling Office to answer viewer questions about the schedule, at (703) 739-5454. (PBS investigated the feasibility of setting up an 800 number for this purpose, but concluded that it would be prohibitively expensive, with costs running potentially into the hundreds of thousands of dollars annually.)

6. PBS has begun to transmit an audio message ("the barker channel") to accompany encoded programs, providing information about clear feed schedules for viewers who don't have decoders.

7. PBS is providing to dish owners on request a simplified single-sheet monthly listing of all programs in the National Program Service and their clear feed schedules. I am told that PBS is already receiving requests for this schedule from hundreds of home dish owners, in just a few days since they began announcing its availability through the "slates" and the "barker channel."

For reference, I have enclosed a copy of the discussion paper considered by the PBS Executive Committee when it adopted its March 1987 policy; a copy of the March 1987 press release announcing that policy; a copy of the February 1988 press release announcing the initiation of PBS's VC II transmissions in April; and copies of the July and August 1988 PBS National Program Service "clear feed" schedules that are being distributed to home dish owners.

I believe that as nearly as possible every American should have access to our outstanding public television service. If confirmed, I intend to monitor these developments closely, to satisfy myself that public television is making a balanced and responsible effort to meet the needs of all of its audience, home dish viewers as well as broadcast viewers.

I appreciate your own interest, and your courtesy to me at the hearing; and I thank you for this opportunity to respond more fully to your question.

Sincerely,

MRS. LAMAR ALEXANDER.

Attachments.[1]

B. KENT BURTON, TO BE ASSISTANT SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE, DEPARTMENT OF COMMERCE

FRIDAY, SEPTEMBER 9, 1988

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION,
Washington, DC.

The committee met at 10:08 a.m. in Room SR-358, Russell Senate Office Building, Hon. John B. Breaux, presiding.

Staff members assigned to this hearing: Mike Nussman and Penny Dalton, professional staff members and Bob Eisenbud and Sherman Joyce, minority professional staff members.

OPENING STATMENT BY SENATOR BREAUX

Senator BREAUX. The committee will please come to order. Good morning to everyone. This morning the full Commerce Committee will be meeting to consider the nomination of Mr. Kent Burton for the position of Assistant Secretary for Oceans and Atmosphere in the Department of Commerce.

The Assistant Secretary, of course, serves as the Deputy Administrator of the National Oceanic and Atmospheric Administration. Mr. Burton will succeed Mr. Curtis Mack who resigned as the Assistant Secretary on February of this year. Mr. Burton is currently serving as the Director of the NOAA's office of Legislative Affairs, a position that he has held since 1984.

We are particularly pleased this morning that he also has members of his family who are here, his wife, Winnie May, and their latest arrival, an eight week old child, William, and their son Benjamin. We are very pleased to have them with us this morning also.

The Honorable Ted Stevens, the Senator from Alaska and a member of the committee is going to be stopping in to express his strong support. I personally have known Mr. Burton for a number of years in his capacity as congressional representative, liaison officer to Congress on behalf of NOAA and have always been very impressed with his work and his ability to understand the needs of the Congress. He explained to us the programs and how they are being administrated.

We have always been very, very pleased with the cooperation, the knowledge and the interest that he has presented in his job and his work with the Congress. I personally am certain that in the remaining months of this Administration he will do an out-

standing job as Assistant Secretary. It is not an unimportant post. Quite to the contrary. I find that so much of the actual work of the agency gets done at that level. It is a very important position and one that I think he will bring a great deal of talent to.

The Chairman, Senator Hollings would like to have his opening statement included in the record, which will be done along with your biographical sketch.

[The statement and biographical sketch follows:]

OPENING STATEMENT BY THE CHAIRMAN

I would like to welcome Mr. Burton today as the Committee considers his nomination to be the NOAA Deputy Administrator.

As many of you know, I played a major role in the establishement of NOAA in 1970. Since that time, I have followed the agency's progress with interest. When NOAA was created, I had great expectations for the agency to advance our marine and atmospheric sciences. And looking back on the early years, I can say that NOAA got off to an impressive start. However, more recently the agency has lacked the leadership and funding necessary to effectively fulfill its mission.

For NOAA, the next few years present special challenges and opportunities. The issues of ocean pollution, coastal habitat destruction, and global climate change have received considerable attention from the nation's press. After a summer of despoiled beaches, shellfish epidemics, and concern about greenhouse warming, the American people—nearly three-quarters of whom now live within 50 miles of our coasts—are demanding solutions and leadership. At this time of heightened concern about the health of our oceans and atmosphere, it is imperative that NOAA provide the guidance required to develop solutions to these problems.

Within this context, I feel that it is of critical importance that the position of NOAA Deputy Administrator be filled by a well-qualified individual. The Deputy Administrator is the number two person at NOAA and thus, is responsible for assisting the Administrator in carrying out NOAA's various missions, which range from guarding and managing our fishery resources, to providing severe weather warnings, to monitoring long-term climate trends. In the past, the Deputy Administrator has also been responsible for the agency's day-to-day management and coordination among NOAA's line offices.

Today, we will hear testimony from Mr. Kent Burton, the Administration's nominee to be Deputy Administrator. Mr. Burton is currently serving as Director of NOAA's Office of Legislative Affairs, a position he had held for the past four years. Prior to joining NOAA in 1984, Mr. Burton served as a Senior Legislative Representative for the American Trucking Association and as a Legislative Aid for Senator Jake Garn and also for Representative John Rousselot.

Mr. Burton, I look forward to your testimony.

ERNEST F. HOLLINGS, SOUTH CAROLINA, CHAIRMAN
DANIEL K. INOUYE, HAWAII
WENDELL H. FORD, KENTUCKY
DONALD W. RIEGLE, JR., MICHIGAN
J. JAMES EXON, NEBRASKA
ALBERT GORE, JR., TENNESSEE
JOHN D. ROCKEFELLER IV, WEST VIRGINIA
LLOYD BENTSEN, TEXAS
JOHN F. KERRY, MASSACHUSETTS
JOHN B. BREAUX, LOUISIANA
BROCK ADAMS, WASHINGTON
JOHN C. DANFORTH, MISSOURI
BOB PACKWOOD, OREGON
NANCY LANDON KASSEBAUM, KANSAS
LARRY PRESSLER, SOUTH DAKOTA
TED STEVENS, ALASKA
BOB KASTEN, WISCONSIN
PAUL S. TRIBLE, JR., VIRGINIA
PETE WILSON, CALIFORNIA
JOHN McCAIN, ARIZONA
RALPH B. EVERETT, CHIEF COUNSEL AND STAFF DIRECTOR
W. ALLEN MOORE, MINORITY CHIEF OF STAFF

United States Senate
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
WASHINGTON, DC 20510-6125

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

(If more space is needed, please use attached REMARKS sheet)

A. BIOGRAPHICAL DATA

1. Name: Burton (Last) Byron (First) Kent (Other)

Address: 6226 North 21st Street (Current residence)
Arlington, VA 22205

U.S. Department of Commerce/NOAA (Business)
14th & Constitution, NW
Washington, DC 20230

2. Position to which nominated: Assistant Secretary for Oceans & Atmosphere and Deputy Administrator

Date of nomination: July 11, 1988

3. Date of birth: April 15, 1952 (month) (day) (year)

Place of birth: Salt Lake City, UT

4. Marital status: Married

Full name of Spouse: Winnie May Skidmore Burton

5. Names and ages of children: Benjamin; Age 11
Suzanne; Age 8
John; Age 5
Abigail; Age 2

6. Education:

Institution	Dates attended	Degrees received	Dates of degrees
Bountiful Junior High, Bountiful, UT; 1964-1967			
Bountiful High, Bountiful, UT; 1967-1970; Diploma; 1970			
Univ. of Utah, Salt Lake City, UT; 6/70-9/70			
Utah State Univ., Logan, UT; 9/70-5/71			
Utah State Univ., Logan, UT; 9/73-9/74			
Univ. of Utah, Salt Lake City, UT; 9/74-12/74			
Utah State Univ., Logan, UT; 1/75-6/75; B.A.; 1975			
George Washington Univ., Washington, DC; 9/77-9/78			
Catholic University; Washington, DC; 9/78-5/80			
Harvard University; Cambridge, MA; 9/80-5/81; M.P.A.; 1981			

7. Employment record: List all positions held since college, including the title or description of job, name of employer, location of work, and dates of inclusive employment.

From	To	Name of employer	Address	Type of work
4/84	Present	Nat'l Oceanic & Atmospheric Adm.	14th & Constitution, NW Washington, DC	Fed. Gov't/ Legislative
6/77	4/84	American Trucking Assn.	430 1st St., SE Washington, DC	Lobbying
11/75	6/77	United States Rep. John Rousselot	Rayburn House Ofc. Bldg. Washington, DC	Legislative
10/75	11/75	United States Senator Jake Garn	Senate Dirksen Ofc. Bldg. Washington, DC	Legislative
6/75	10/75	Republican National Committee	310 1st St., SE Washington, DC	Summer fellow/ Research Asst.

8. Government experience — List any experience in or direct association with Federal, State, or local governments including any advisory, consultative, honorary or other part-time service or positions.

U.S. Department of Commerce, National Oceanic & Atmospheric Administration

Director, Legislative Affairs, 4/84 to Present.

United States Representative John Rousselot, Legislative, 11/75 to 6/77.

United States Senator Jake Garn, Legislative, 10/75 to 11/75.

Attorney General, State of Utah, Intern, Summer '74.

9. Political affiliations activities: — List all memberships and offices held in or financial contributions and services rendered to all political parties or election committees during the last 10 years.

Republican National Committee, 6/75 to 10/75, Summer fellow/Research Asst.

10. Memberships: — List all memberships and offices held in professional, fraternal, scholarly, civic, charitable, and other organizations.

Washington Based Utah State University Advisory Committee for Institute on Political Economy, Member.

Phi Sigma Alpha National Political Science Honorary Fraternity, Member.

Listed in Who's Who in American Politics.

American Political Science Association, Member.

11. Honors and awards: — List all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Phi Sigma Alpha National Political Science Honorary Fraternity.

Listed in Who's Who in American Politics.

Senator BREAUX. Having said that, I would like to welcome him to the committee. I know that you have a statement, Kent, that you would like to present. We would be pleased to receive it but first Senator Hatch.

STATEMENT OF HON. ORRIN G. HATCH, U.S. SENATOR FROM UTAH

Senator HATCH. Thank you, Senator Breaux. It is a great pleasure to introduce my friend from Utah, Kent Burton. I have known Kent since 1975, and I have been keenly aware of NOAA over the past number of years as you know, so it is fitting that I have the opportunity to speak in support of his nomination to be Assistant Secretary for Oceans and Atmosphere.

Kent has been at NOAA since—when was it, 1984?

Mr. BURTON. That's right.

Senator HATCH. Since 1984, and he is well known to many of us as the Director of the Office of Legislative Affairs. I am not sure that everyone realizes that in that position he supervises 63 people and manages a budget of $3 million, which encompasses congressional affairs, constituent affairs, international affairs, and business liaison.

Kent has also worked closely with two previous NOAA Administrators, John Burne and Tony Calio. His institutional memory, his interpersonal skills, his legislative knowledge, and political expertise I think have been invaluable to Undersecretary Evans. As environmental issues take on increased significance, Kent will provide balance, pragmatic judgment, and practical guidance to support NOAA's mission, and enhance the science and service on which the American taxpayer depends.

Kent has been in a unique position to shape the progress of NOAA in recent years. The mix of advances in high technology and the realities of the budget constraints, of course, have been a major set of problems which he has had to reconcile.

His experience on the Hill and in the Department of Commerce, I think, are highly respected.

Now, Utah does not have a coastline to worry about except our beautiful lakes. Lake Powell has more coastline than both the West and East Coast of this country believe it or not, more actual miles. We have been affected by the work done by NOAA in water level rise in the Great Salt Lake.

So I am committed to NOAA on the atmospheric side, and I am concerned about maintaining the structure of the NOAA Weather Service. The safety record resulting from the pinpoint accuracy of severe storm prediction, I think, is impressive and very gratifying.

NOAA had a slogan for its 15th anniversary in 1985: "NOAA Serves." I would elaborate on that. By serving, NOAA saves lives and protects property, and that is the proper function of the Federal Government, one the taxpayers deserve and a record I am proud to extol. I give Kent a lot of credit for his work in this area. He has a professional and educational background that have prepared him well. He has a master's degree in public administration from Harvard. He has done graduate work at George Washington and Catholic Universities in economic and policy analysis, and graduat-

ed cum laude from Utah State University with a major in political science.

He was John Rousselot's senior legislative assistant, which means that he served a very stern taskmaster and learned the theory, practice, and philosphy of government from an expert. He has had a lot of private sector experience with the Federal Physicians Association and the American Trucking Association. Of course, he has already proven his ability at NOAA for the past four years. I think he is in a very good position to assume the number two position at NOAA.

It is really an honor for me to present him to you. Although I am biased, and I have to admit that from the start, I am extremely interested in having the best people serve in the government that we possibly can, in this and any future administrations. I don't know of a person whom I would recommend more heartily or more highly than Kent for this particular job at this time. I thank you for interrupting and allowing me to make this statement.

Senator BREAUX. Thank you very much, Senator Hatch, for being here. You certainly have expressed very eloquently your reasons for supporting Mr. Burton. I think they are well founded. We have no disagreement in that regard whatsoever. I thank you for taking your time to come on over and be with us.

STATEMENT OF B. KENT BURTON

Mr. BURTON. Thank you, Mr. Chairman. I appreciate very much the opportunity to be here today. I am greatly honored to have been nominated by the President of the United States to be Assistant Secretary of Commerce for Oceans and Atmosphere, and Deputy Administrator of the National Oceanic and Atmospheric Administration.

Mr. BURTON. As the members of this committee know, I have served for the last four years in the area of congressional affairs at NOAA, first as the Director of the Office of Congressional Affairs and for the last three years as the Director of the Expanded Office of Legislative Affairs.

In these positions I have worked very closely with NOAA leadership. I have been in a unique position, I believe, to view policy, managerial, and political problems within the agency, and to be a part of the resolution.

My role in this process is not just from the vantage point of congressional affairs, but has included the expanded perspective offered by the additional responsibilities in my Legislative Affairs office, namely business liaison, constituent affairs, as well as international and intergovernmental affairs functions.

Taken together, I believe my stewardship over these duties has provided me with a broad perspective of the issues facing NOAA and an appreciation for the rich and diverse nature of the NOAA mandate, which this committee knows ranges literally from the face of the sun to the floor of the oceans.

The agency's diverse mission clearly requires that the top management of NOAA has superior management, administrative, and political skills. These, of course, are in addition to the obvious technical and scientific tools that are needed to run the agency.

I believe I will bring to the present senior management at NOAA, a useful combination of these political and technical management skills, which I think are important to compliment the scientific and technical expertise that already exists in that senior management structure.

I am excited, Mr. Chairman, about the future of NOAA. While sensitive to the fact that time is short for the present Administration, I believe that with a heightened awareness of the public to environmental issues such as ocean pollution and global warming, the future role for NOAA to be a prime player in the public debate on these matters is clear.

Underscoring NOAA's contribution in some of these areas such as global climate and coastal oceans will be one of my key interests.

Let me finally add that I believe in proper congressional oversight of NOAA. I believe that the Administration's views should be reflected in NOAA's programs and policies. I also believe in realistic accountability within the agency to ensure sound management and fiscal responsibility.

By both experience and education I consider myself qualified to assume the job of Assistant Secretary at NOAA. I am committed to the agency and its mission, a mission which I believe is more important now than ever and more vital to the nation than ever. I look forward to advancing that mission if I am confirmed.

Thank you again, Mr. Chairman for permitting me to be here today. I'll be happy now to answer any questions you may have.

Senator BREAUX. Thank you very much for your statement, for your cooperation with the committee, and preparing also for the hearing. Let me ask you, you correctly point out you do not have a lot of time left. Is anything realistically likely to happen between now and the end of this administration with regard to the structure of NOAA? We talked about reorganizing. Are we likely to have any kind of endeavor in that area?

Mr. BURTON. I think any organizing that could be accomplished between now and the end of the year would certainly be on the modest side, if anything is proposed. And I would like to believe that if the Administration yet proposes any reorganization, it will be certainly something which Congress could probably live with. Otherwise, I do not see it being a likelihood.

Senator BREAUX. As you know, NOAA over the years has, at least the Administration, not necessarily down at the NOAA level, the Administration has rather consistently proposed to eliminate programs like Sea Grant and Coastal Zone Management Program, programs that have had a great deal of support, as you know, in the Congress.

Also there are consistent requests for reduction in many of the fishery programs that Congress has consistently supported and authorized and appropriated money for. Do you have any advice for the folks down there in your new position as to what likely should be their position on these type of programs?

Mr. BURTON. I think at any point in time when the Administration is putting together a budget for a given fiscal year, difficult decisions have to be made on the basis of what is important and absolutely necessary to have in terms of maintaining key programs

in the government versus what is nice to have. Not all of the agencies, and certainly not all of the Congress, is happy with those decisions when they come out.

With regard to my role in trying to format a budget, I think you will find that I will be a healthy and vigorous advocate of the important mission that NOAA has. And certainly where programs end up not being funded, or requests for funding are not made on the part of OMB, and Congress goes ahead and implements laws that would put those programs in place, we will be implementing those laws and being vigorous proponents of making sure the programs work.

Senator BREAUX. This spring, representatives of some of the conservation groups as well as members and representatives of the North Pacific Fishing Industry have met and made some recommendations on dealing with the continuing problem on marine mammals, and some have put a price tag on some of their recommendations I think somewhere approaching $10 million.

How is that recommendation going to be received by National Marine Fishery Service and NOAA in particular?

Mr. BURTON. I believe you are probably referring to, at least in large part, the cost associated with observers. It has been our view, and I believe this position has been stated to the Committee, that adequate coverage probably could well exist at a 33 percent level. I believe we have 50 percent coverage right now.

If legislation is passed requiring additional coverage, we will certainly abide by that and take steps necessary to make sure that coverage indeed is there.

Senator BREAUX. There is no problem with any kind of a recommendation against the legislation because of the calls coming from NOAA?

Mr. BURTON. Again, we feel that the coverage we have right now, 50 percent is adequate. From a statistical standpoint, statistical significance is achieved at 33 percent. I do not think we are going to be in the position of requesting vetos on any bill based on additional coverage.

Senator BREAUX. There is a story that I know the staff has met with some of the officials on already, and I think the Minneapolis Star Tribune, Minneapolis/St. Paul paper, and it was also a story done by NBC on the NEXRAD Weather Procurement Program. Basically the story implied some undone influence that might have been used in order to secure the contract for Unysis.

I understand that it was your predecessor, Mr. Curtis Mack, who was the selection official for that procurement contract. What I would like you to do is give us some comments on that process, and a response, if you can, to some of the allegations that were made in the story about the undue influence.

Mr. BURTON. Upon hearing the stories that came out in both those media we reviewed again the process that took place and the source selection process, which ultimately led to the selection of Unysis to be the contractor for the NEXRAD radar.

We have no reason to believe, based on our review of this process, that any untoward influence was exercised by any outside individual to lead to a successful bid by Unysis. Indeed, the process was put in place originally in 1986. The source selection plan was ap-

proved. Technical and source selection bodies were made up of individuals from the Department of Defense, Department of Transportation and Department of Commerce that were experts in each of the important fields of expertise that needed to be considered in the final source selection. It was an exhaustive process. There were concerns along the way, given the size of the contract at stake, that it be absolutely "antiseptic" in the way it was proceeding.

Indeed, the Inspector General initiated an investigation of the whole source selection process in August of 1987 because of a complaint from the GAO about the source evaluation process. The inspector General suggested, and NOAA complied with, certain changes to the process. The selection was made in December 1987 by Curtis Mack based on the criteria specified in the Request for Proposals. Certainly we can provide the committee with a copy of the analysis that was made in the final source selection document that I think will demonstrate that it was a good process.

My particular role was simply one of keeping track of interest that had been expressed from time to time by members of the Congress. That interest was routine, several letters from members expressing interest, but I think the record amply demonstrates that it was an appropriate and well documented and thoroughly exhaustive process that was not marred by outside influence.

[The following information was subsequently received for the record:]

NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION,
Washington, DC, September 19, 1988.

Hon. JOHN B. BREAUX,
U.S. Senate,
Washington, DC.

DEAR SENATOR BREAUX: Enclosed is a document relating to NEXRAD procurement which is in followup to the Senate Committee on Commerce, Science and Transportation's September 9 hearing on B. Kent Burton's nomination to be Assistant Secretary of Commerce for Oceans and Atmosphere. Since the enclosed document is sensitive, it is not being submitted for the official hearing room.

Sincerely,

PATRIC G. LINK,
Deputy Director for Legislative Affairs.

Senator BREAUX. We would appreciate having the information that you referred to.

During the review has there been anything that has been found to merit reconsideration of the way operations are handled to insure that there is absolutely no question about the potential for undue influence? Is there any recommendations that are likely to result from the investigation which would indicate a need to make changes in the operations and the selection process, or are you satisfied that the process that is in place now is adequate and sufficient?

Mr. BURTON. I am not aware of any unresolved recommendations from the Inspector General's review that would require further changes to the process.

As I say, it was a very thorough one which was founded upon a source selection plan which laid out the whole process that needed to be carried out. And I think the record demonstrates that the process is in good shape.

I might note that it perhaps is not insignificant that the losing bidder, namely Raytheon, did not file a protest in response to the final decision that was made. That may be some evidence to the fact that it was properly carried out.

Senator BREAUX. Let me ask you a couple of other questions along another line and that is, generally, a lot of times language appears in committee reports, appropriation bills and what-have-you, and that is not actual legislation but language in a committee report with instructions, or recommendations.

Can you tell us generally your view on language in committee reports with regard to riders on appropriation bills or instructions expressing the desire that certain types of approaches to problems be taken?

Mr. BURTON. You bet. I think my view is reflected in the practices that NOAA and the Department of Commerce have carried out, and that has been a practice of being fairly responsive.

I think our track record of the last several years has been a responsive one, to recognize the legitimate interests that are reflected in the report language, in appropriation bills. And I think we will continue to carry that process out.

I am sure you are referring to the instances last year when there was some disagreement between OMB and Congress over what should and should not be implemented. I believe we need to be responsive to Congressional wishes, and it is my intent to make sure that we continue to be.

Senator BREAUX. One of the projects that I have worked with NOAA on is multi-purpose Cadastral, which is a computerized land information system program under NOAA's jurisdiction, which I think has been providing some very valuable information to our government.

Can you tell us where you see the agency going with regard to that type of a program?

Mr. BURTON. I think the multi-purpose Cadastral program fills an important role.

We have been responsive in terms of fulfilling appropriations that have been made to fund muti-purpose Cadastral projects. As the Senator knows, we are working on one right now in Louisiana.

I understand there is some concern over the split between the Federal and the state funding of that project. We have had meetings with the county officials and I think we are straightening those problems out, and I think the Cadastral project in Louisiana is going to be a successful one.

Senator BREAUX. I want to come back to that, but let me recognize right now our colleague from Alaska, Senator Stevens, for any questions he might have.

OPENING STATEMENT BY SENATOR STEVENS

Senator STEVENS. Thank you very much, Mr. Chairman. I am pleased to be here for Mr. Burton's hearing and his nomination.

We have worked with Mr. Burton in his current role as head of NOAA's Legislative Affairs. We know him from his past service here in the Senate. I am delighted to see him nominated for this position.

It would be very important, I think, to us, even in this current month, to know there is someone down there that understands the Congressional process and the problems we go through trying to wind up a Congress.

So I thank you for holding this hearing, Mr. Chairman. It is late in the session. And I want to tell you Mr. Burton, that you are indebted to the Chairman of this hearing and the full Committee.

I remember full well that I was nominated when I was down at the Department of the Interior during the Eisenhower Administration I think it was sometime in May or June, and they did not get around to a confirmation hearing on me for a long time. So I served as Solicitor of the Interior Department without a confirmation for about a year.

I hope that this means good things for you and that your name will be reported out and we will confirm you, because I do not think some people, unless they went through what I did, understand that—you get a different piece of paper on the wall, you know, if you get confirmed, different from the one you get when you are nominated by the President.

So I appreciate your holding the hearing, Mr. Chairman, and I congratulate you on your promotion Mr. Burton.

Mr. BURTON. Thank you, sir.

Senator BREAUX. It is a new bipartisan spirit we have here. And I am very pleased to be able to help and assist in moving this nomination confirmation forward. I think it is something that needs to be done.

Let me just ask another question on the Cadastral program, being somewhat parochial on it. Again, there is a question that NOAA is keeping more and more of the funds for the program each year for internal operations as opposed to giving it in terms of grants.

I note that one of the grants this year to the facility in Louisiana, the grant was less than NOAA was keeping up here. And the local people have to match the grant, and what we are doing is matching money that we are not really getting but is being left here at the Washington level.

So I guess what I am asking is, is that going to continue? Or what is the outlook on these type of programs?

Mr. BURTON. My understanding, Senator, is that whenever we participate with a local entity, state or county, with regard to Multi-Purpose Cadastral work, that agreements are made beforehand as to what an appropriate split of responsibilities would be.

Regularly, NOAA is called on to perform technical assistance by way of plotting geographic coordinates and performing other activities that we have unique expertise to perform. But that is always worked out between the state and NOAA or the counties and NOAA.

I have been aware that meetings were held with the three counties in question on this to determine the appropriate split of responsibilities, and it was decided that the 60/40 split would be appropriate, and in this case, the grant awarded ended up being, I am told, about $1.4 million.

The amount that NOAA withheld to perform its technical assistance functions was about $416,000. Again, it is worked out on a

case-by-case basis. I would be happy to provide the Committee with a record as to how these calculations were made and make sure your questions are answered.

From my look at it, it seems like it has been sorted out reasonably and the process allows for each individual project to be dealt with on an individual basis, which I am told seems to have occurred here. But I want to make sure any other detailed questions are answered and that you are satisfied on this. To me it looks like it went off pretty well.

Senator STEVENS. Would you yield to me just one moment? I am sorry to be late and I have to go to a conference on the Department of Transportation Appropriations bill.

But I do want to state for the record that I did, on behalf of the Members on my side of the Committee, review the FBI report on Mr. Burton. It is totally straightforward and clean and there are no problems at all. I am delighted to make that a matter of record.

Senator BREAUX. Thank you, Senator. The other final thing is the Ocean and Coastal Resource Management Office is currently without a director.

Do you have a—what are the plans with regard to filling that vacancy?

Mr. BURTON. I think we are going to have that filled, at least on an acting basis, in the very near future.

We are sensitive to the fact that it has gone without a director for a little while. Late in the season as it is, we recognize it has been difficult to place a political appointment in there. It has always been a politically-held job.

If we are unable to do that, and a determination will be made very soon, we will go with an acting Director.

Senator BREAUX. We will probably have a couple of other questions we would like to submit to you, but that covers the things that I was wanting to make sure we touched base on.

We are delighted again to have your family and your children here. And we will be scheduling a markup session for the full Committee when the Chairman has an opportunity to schedule it.

I am confident that it will be shortly, and certainly we will receive this Senator, and I know Senator Stevens', recommendation for your confirmation.

So, I think we are on the right track. And with that, that will conclude our hearing this morning. The Committee will stand adjourned.

[Whereupon, at 10:36 a.m., the hearing was adjourned.]

[The following information was subsequently received for the record:]

Prehearing Questions of the Chairman and the Answers

1. Please describe as completely as possible your view of the mission of the National Oceanic and Atmospheric Administration (NOAA).

ANSWER

The mission of NOAA is to monitor and predict conditions in the ocean and atmosphere, to provide for effective utilization of ocean and coastal resources, and to analyze the probability, timing, and consequences of environmental changes. NOAA's monitoring responsibilities run the gamut of time and space -- from providing a community a few minutes notice of an approaching tornado to monitoring trends in the global climate system over many decades; from studying a specific estuarine ecosystem to modeling global ocean circulation patterns.

In a more practical sense, our mission is to provide sound science as a basis for a wide variety of policy decisions. I regard NOAA as unique in its ability to protect human lives and property and to provide for economic growth through resource management, weather forecasting, mapping and charting, development of predictive models, and maintenance of long-term environmental data. Our mission is broad and ambitious, and can be fulfilled only through coordination, communication, and accountability. I look forward to devoting my efforts as Assistant Secretary to these tasks.

2. Please outline your primary goals and priorities for NOAA, assuming you are confirmed as Assistant Secretary.

ANSWER

Although NOAA constantly pursues many specific programmatic goals, the primary objective of the Assistant Secretary must be to maximize the effectiveness of NOAA's management. Since I arrived at NOAA in 1984, I have witnessed great strides taken in the ability of the various parts of NOAA to function together as a team. My priority is to continue this process of improving communication and coordination. If I am confirmed, NOAA will have for the first time an Under Secretary, Assistant Secretary, and Chief Scientist. We are excited about the opportunities this management structure provides us to coordinate the activities of NOAA's line offices and to strengthen our working relationship within the Department of Commerce.

As Assistant Secretary, I intend to review carefully the long-term projects and plans developed by NOAA's line offices. As part of NOAA's top management team, I intend to place a high priority on research and long-term planning in order to make certain that NOAA does not lose sight of the future while managing the present.

Finally, since coming to NOAA, I have felt that in many ways NOAA is the government's best kept secret. NOAA is an amazing agency with a multi-faceted mission which touches on a wide variety of issues. By increasing within and outside the government the appreciation of NOAA's mission will ultimately have the effect of strengthening NOAA's programs and ability to serve the public. As Assistant Secretary I will make this one of my priorities.

3. What would you identify as the most important challenge to face NOAA in the upcoming months? Over the next decade?

ANSWER

I believe that our greatest challenge in the coming months will be managing our budgetary situation. As this Committee knows, NOAA has had difficulty reconciling our FY88 budget with the budget agreement reached last fall. NOAA is facing budget cuts at a time when the costs of our satellite systems are rising and we are investing in new technologies to modernize the National Weather Service. I think that our most immediate challenge is to fulfill the requirements of our mission within the budgetary constraints we face.

In the longer term, I think NOAA's greatest challenge is to manage the rapidly increasing flow of environmental data. Data management is a large component of NOAA's role in the increasing national and worldwide efforts to study, monitor, and predict global environmental changes. Scientists and policymakers are in agreement that the Earth's environment must be viewed as a system, with interactions among all the components. This holistic approach increases the importance of long-term data sets and development of predictive models incorporating oceanic and atmospheric processes and their interactions. I believe that NOAA must expand its data management capabilities if NOAA is to fulfill its environmental monitoring mission over the next decade.

4. What will be your duties in the day-to-day management of the agency?

ANSWER

I will serve as the day-to-day manager of the agency. I will have responsibilities over functional duties such as evaluating office directors and assistant administrators, with a particular priority of working with our Office of Administration and Comptroller's Office in the areas of program, personnel and financial management. Further, given my background in congressional and constituent affairs, I expect to continue to be used by the Under Secretary in important issues involving Congress and outside groups.

5. What, in your view, is the present state of NOAA, and how do you feel that it could be improved?

   -- What NOAA program areas do you feel should be top priority? Why?

ANSWER

I am enthusiastic and optimistic about the state of NOAA. We are in the process, as I have mentioned, of having the most complete management structure in the history of NOAA. We are concentrating on improving coordination between the various components of NOAA, and we are getting results in the form of agency-wide initiative such as our Climate and Global Change program and our redirection of existing resources to focus on coastal ocean issues. We are developing new generations of environmental satellites and modernizing the National Weather Service. All of this is being accomplished in a time of increasing fiscal restraint.

I have perceived a lack of communication between NOAA's line offices and, to a certain degree, a failure to gain recognition within the Department of Commerce. I believe that NOAA needs to improve in these areas, and, as I have mentioned, mechanisms for improvement are in motion with visible results. If I am confirmed as Assistant Secretary, I will be responsible for continuing this improvement. I look forward to undertaking this challenge.

As for program priorities, I believe that our first responsibility is to maintain our programs which are closely linked to the safety and welfare of the general public. Such programs can be found throughout NOAA, in weather forecasting, monitoring of the ocean and coastal environment, and fisheries management, to provide a few examples. I would give lower priority to programs within these areas which benefit specific interests or could be supported by private or State and local sources. If confirmed, I will give high priority to programs of national benefit which the private sector and local governments could not be expected to undertake.

6. NOAA's structural organization consists of five distinct and separate line offices among which there sometimes appears to be little coordination or communication.

   -- Does this structure permit effective management? Why or why not?

   -- Please describe any suggestions you have for increasing integration among the line offices, or for improving agency management.

ANSWER

NOAA is unique among federal agencies in that its functions and authorities include a vast array of programs and issues. The programs of our various line offices -- the National Weather

Service, National Ocean Service, Office of Oceanic and Atmospheric Research, National Marine Fisheries Service, and National Environmental Satellite, Data, and Information Service -- sometimes appear completely unconnected to one another. In these cases, the line offices are able to manage their programs independently.

There are many issues, however, which cut across two or more line offices and require communication and coordination among the line offices. NOAA has not always managed to integrate the line offices effectively, but I believe that this situation is improving and will continue to improve in the future. The recent creation of a NOAA Chief Scientist, accomplished through the work of this Committee, has provided NOAA with a new office which has significantly improved coordination of NOAA's approach to scientific issues at the core of our mission. Further, working under Under Secretary Evans, NOAA management in recent months, I believe, has done a better job of bringing NOAA together as a family to serve the mission of being a "whole Earth agency." The five Assistant Administrators have been recognized as Members of NOAA's Corporate Board and through more regular meetings have increased dramatically their cooperation on initiatives such as global change and a redirection of existing resources to focus on coastal ocean issues.

Also, the global and multidisciplinary study of the Earth's environment has caused NOAA to take a more integrated approach to environmental research, monitoring, and prediction. We have seen benefits from this integrated approach, and we intend to increase coordination among line offices in our approach to many issues in the future.

7. NOAA's Office of Ocean and Coastal Resource Management is currently without a director. I understand the acting director is rarely in the office and provides little leadership and guidance for the staff when he is there.

   -- What are his qualifications for the position?

   -- What other CZMA-related duties require him to spend such a large percentage of his time away from his office.

   -- When will a new director be appointed?

ANSWER

The Deputy Director of the Ocean and Coastal Resources Office is a schedule C appointment, tasked with the job of managing the work flow and ensuring that Reagan Administration policy is considered in the process of carrying out the responsibilities of the OCRM. His management techniques have been learned through job experience. He obtained a BA in English at LeMoyne College, in Syracuse, N.Y. His qualifications to interpret Administration policy are also experiential.

Mr. Blizzard has been absent from his office to care for his family, which has relocated to New York State for health reasons. To do this, he has been taking annual leave, which he has accumulated.

A search for a new Director is underway. If none can be found an Acting Director will be put in place. There are several potential candidates, and the interview process is nearly complete.

8. Over the past seven years, the Administration has consistently proposed to eliminate the Sea Grant Program, and the Coastal Zone Management Program, as well as reduce funding for many of NOAA's ocean, coastal, and fishery programs. Congressional support for these programs has been bipartisan and strong throughout.

   -- What is your position regarding funding for these programs?

ANSWER

Both Sea Grant and Coastal Zone Management have been the major grant programs in NOAA, and have been consistently restored by Congress in the NOAA budget. The Administration has not requested funding for these programs in an attempt to deal with the critical deficit problem. Without addressing the merits of the programs, but in an attempt to prioritize the core missions mandated for NOAA, funding for these activities has not been requested. If mandated by Congress, it is our responsibility to administer these programs.

9. The Nation's coastal and ocean waters are a natural resource of tremendous importance and value. However, by all accounts, the quality of our coastal environment is threatened by pollution from a large number of sources. Contrasting with the obvious need to understand and address this threat, federal funding for marine pollution research has dropped by 33 percent between 1982 and 1989.

   -- Given the importance of our coastal areas, do you support this reduction in funding for marine pollution research?

   -- What is NOAA doing in the areas of pollution research, monitoring, and coastal management to address the many problems that face our coastal regions?

ANSWER

Under the direction of the current Under Secretary, NOAA is in the process of a major redirection of existing resources to focus on coastal and ocean issues. A major priority is ocean pollution. NOAA is in the process of upgrading its Monterey Center to more fully use existing data to deal more effectively with the ocean

pollution problems. Another example is the Coast Watch Program in NESDIS to monitor the Gulf Stream, which will give us the information to predict ocean phenomena which have led to problems like the Red Tide on the Southeastern Atlantic coast.

10. Last month, at the Committee's hearings on global change, Dr. Francis Bretherton suggested that NOAA was the logical choice to become "a central agency" for long-term global issues.

    -- As Assistant Secretary, would you be willing to provide leadership and work toward accomplishing that goal? Please explain.

    -- Does the agency currently have the scientific expertise, observational capabilities and information management systems necessary to assume central responsibilities? What parts of the NOAA infrastructure would need to be strengthened?

    -- How would NOAA's proposed $15 million initiative in Climate and Global Change contribute to national global change research efforts? To becoming a central agency for global issues?

ANSWER

I join NOAA's senior management in my support for a strong NOAA role in this Nation's effort to observe, understand, predict, and respond to changes in the global environment. As the operational monitoring, prediction, and information management agency for the national effort, NOAA can and must demonstrate the scientific leadership required to enable the U.S. to effectively respond to the economic, environmental, social, and political issues associated with changes in the global climate system. I look forward to representing, as Assistant Secretary, NOAA's role in the U.S. global change program in discussions with the Department's senior management, other agencies, Administration officials, and Members of Congress. The U.S. global change program will require the collaboration of a number of agencies, but NOAA is clearly a central player.

The FY89 President's budget proposes a $15 million start on a long-term NOAA program in climate and global change which will provide the basis for NOAA's contribution to the national effort. The proposed program recognizes the importance of changes in the global climate system and is a natural extension of NOAA's traditional environmental science and service responsibilities. The program will allow NOAA to use carefully-focused, new resources to leverage a substantial base of unique capabilities in: oceanic and atmospheric observations; fundamental research aimed at understanding key climate processes; predictive model development

and application; and information management. Together, these capabilities will allow NOAA to make substantial progress toward the long-term goal of the NOAA program.

The goal is to establish a national information service based on the achievement of reliable assessments and quantitative predictions of changing global climate. I am confident that NOAA can achieve this goal because we are building on a substantial base of unique and well-recognized intellectual and structural capabilities.

In addition to providing sufficient resources for the focused climate and global change program, NOAA must also begin immediately to address a number of programmatic and resource issues associated with base capabilities, including: satellite observational capabilities; research platforms (ships and aircraft); supercomputing capabilities; laboratory infrastructure; and data management. In the position of Assistant Secretary, I plan to help focus the attention of NOAA senior management on these important issues.

11. We recently learned that the contract for new geostationary weather satellites is experiencing serious delays, as well as 40 percent of $200 million cost overrun.

    -- Given NOAA's current tight fiscal constraints and without gutting other agency programs, how do you proposed to

    cover the unanticipated cost increases for weather satellites?

    -- Do the expected delays represent a potential threat to public safety? Why or why not?

ANSWER

NOAA is taking many measures to reduce the total cost of the next series of GOES satellites. These include having NASA change the contract structure from a cost-plus to a fixed-price type. This and other measures are aimed at reducing the possible impact of this increased cost of the GOES satellites on other NOAA programs. While we anticipate a failure of the GOES-6 satellite, which has already exceeded its design lifetime, the GOES-7 as well as NOAA's polar-orbiting satellites will provide the minimum data necessary to assure public safety until GOES-I can be available for launch in 1990.

THOMAS GRISCOM, TO BE A MEMBER OF THE BOARD OF DIRECTORS, COMMUNICATIONS SATELLITE CORPORATION [COMSAT]

THURSDAY, SEPTEMBER 15, 1988

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION,
Washington, DC.

The committee met, pursuant to notice, at 9:06 a.m., in room SD-562, Dirksen Senate Office Building, Hon. Daniel Inouye presiding.

Staff members assigned to this hearing: John Windhausen, staff counsel and Ruth Johnson, minority professional staff member.

OPENING STATEMENT BY SENATOR INOUYE

Senator INOUYE. This morning we will consider the nomination of Thomas C. Griscom to the Board of Directors of the Communications Satellite Corporation, or COMSAT.

COMSAT is a private corporation created by an Act of Congress to establish and participate in a global international communications satellite system.

Since 1962, when the Communications Satellite Act was passed, COMSAT successfully established INTELSAT and now participates in this organization, along with 114 other nations.

COMSAT also represents the United States within INMARSAT, a similar international communications satellite system that provides maritime communications services.

Although COMSAT is a for-profit corporation, the Communications Satellite Act imposes several public interest responsibilities upon COMSAT to insure that the benefits of satellite technology are made available to all citizens.

Under the act, the President appoints three directors to COMSAT's board, subject to the advice and consent of the Senate. It is the duty of these presidential directors to supervise the corporation to insure that it meets these public interest goals.

Mr. Griscom is appearing before the committee this morning to assure us that he is qualified and able to carry out these duties on behalf of the public.

I welcome you, Mr. Griscom. It is good to see you again, sir.

Mr. GRISCOM. Thank you, sir.

Senator INOUYE. Senator Pressler.

Senator PRESSLER. I have no opening statement, Mr. Chairman.

Senator INOUYE. Very well.

It is your show, sir.

[The biographical sketch follows:]

BIOGRAPHICAL SKETCH OF THOMAS C. GRISCOM

Address: 19 Cool Springs Road, Signal Mountain, IN 37377.
Communication Department, UT-Chattanooga, Chattanooga, TN 37403.
Position to which nominated: COMSAT board of directors; date of nomnination: August 1988.
Date of birth: 11-13-49; place of birth: Chattanooga, TN.
Marital status: Married; full name of spouse: Mation Dobbins Griscom.
Names and ages of children: Thomas (12), William (5), Patricia (5).
Education: Institution: UT-Chattanooga; dates attended: 1967-71; degrees received: B.A.; dates of degrees: 12/71.
Employment record: List all positions held since college, including the title or description of job, name of employer, location of work, and dates of inclusive employment.
Dates, name of employer, address, and type of work:
8/1/88—UT-Chattanooga, Chattanooga, IN, Professor.
3/1/87 to 7/15/88—The White House, Washington, DC, Communication.
1/5/87 to 2/28/87—Ogilvy/Mather P.A., Washington, DC, Public Affairs.
3/85 to 12/31/86—N.R.S.C., Washington, DC, Political.
12/78 to 12/84—U.S. Senate, Washington, DC, Communication.
6/71 to 5/78—Chattanooga News-Free Press, Chattanooga, IN, Journalist.
Government experience: List any experience in or direct association with Federal, State, or local governments including any advisory, consultative, honorary or other part-time service or positions:
The White House—served as assistant to President for communication/planning.
U.S. Senate—served as administrative aid and press secretary to Sen. Baker.
National Republican Senatorial Committee—served as executive director.
Political affiliations activities: List all memberships and offices held in or financial contributions and services rendered to all political parties or election committees during the last 10 years.
National Republican Senatorial Committee—executive director.
Baker for President—served as press secretary.
Re-elect Baker Committee—served as press secretary.
Clement for Governor—served as press secretary/advisor.
Memberships: List all memberships and offices held in professional, fraternal, scholarly, civic, charitable, and other organizations.
Alpha Society—scholastic society at UT-Chattanooga.
Government Society of Communicators.
Press Secretaries Association.
Centennial Commission of Chickamauga Battlefield.
Honors and awards: List all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievement.
Alpha Society—UT-Chattanooga and Outstanding Government Communicator.
Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials you have written.
Ronald Reagan: the Communicator, Center for the Presidency; estimated publication date 10/88.
As a reporter with the Chattanooga News-Free Press (1971-76) covered county government, state government and politics.

STATEMENT OF THOMAS C. GRISCOM

Mr. GRISCOM. Mr. Chairman, I do not have an opening statement, other than to say that I appreciate the scheduling of this hearing, knowing that Congress is in its final weeks before it recesses for this session.

I do appreciate your finding the time to hear this confirmation, and I am here to answer any questions that you may have.

Senator INOUYE. The record will show that all the papers that should be filed with the committee have been filed. All financial forms have been filed, and the White House has advised us of all of the investigations.

As far as I am concerned, there are no skeletons. If there are, I hope you will tell us.

What do you believe your role to be as Director of COMSAT?

Mr. GRISCOM. Mr. Chairman, I know when the act was set up, it established a Board of Directors, some who were elected by shareholders and three who were appointed by the President.

While my nomination is one of those that is a presidential appointment, the responsibility is to serve as any other board member, and that is to represent the interests of the shareholders. At the same time, I will be in a position where, at the President's request, I can provide him information on COMSAT and its activities, and also at times, I would assume, provide any information to COMSAT and the other board members that the President may wish to pass on to them.

Senator INOUYE. As you are aware, COMSAT over the years has gotten involved in other than core-type industries, like INTELSAT or INMARSAT, and I believe, in most cases, they have lost money. Do you believe that COMSAT should concentrate on just the so-called core-type businesses, or should they continue to diversify?

Mr. GRISCOM. I think that you have to look at the role of COMSAT and the areas that COMSAT gets into, consistent with the 1962 act that established COMSAT, and that is the framework to build from. If it provides opportunities for COMSAT to look into other areas, then it ought to be consistent with that act.

I will be very honest with you, Mr. Chairman. I don't know enough at this point about the actual innerworkings of COMSAT to answer you more fully, other than to say that as long as it is consistent with the mandate that is provided to them, that ought to be the guide that you use to find out what activities COMSAT would be involved in.

Senator INOUYE. Are you aware of any potential conflicts of interest?

Mr. GRISCOM. Are you talking about me, personally?

No, sir. I am not. I have talked both with the Office of Government Ethics and with the General Counsel of COMSAT as they reviewed my disclosure form, and I am not aware of any concerns. There were two minor questions that were raised, which were answered. But the best information that I have is that there are no potential conflicts that exist in holdings that I may have that would be inconsistent with COMSAT.

Senator INOUYE. Senator Pressler.

Senator PRESSLER. Thank you.

I want to welcome the witness and to say that I have known him for some time. In fact, he has been in my State of South Dakota as my guest, on a trip when Howard Baker came to visit with some of our people.

I have to go off this morning. We will be hearing Jerry Ford in another committee, talking about the War Powers Act. I know that he is an acquaintance of yours also.

Let me ask you this.

In the public charter of COMSAT, they talked about public service, and yet it is a for-profit organization. What is your interpretation of the public service clause and what will you specifically do to carry that out?

Mr. GRISCOM. Senator, again, I can only give you a general feel since I have not really had time to sit down and look at any details of the operations of COMSAT.

I would hope, as they were established in 1962, that part of the public service is to make sure that there is an availability of satellite communications at reasonable cost, both here in this country, and in developing countries, as well. They must have the opportunity to participate in such a system.

I think, clearly, that that is part of providing a service and part of the role that COMSAT ought to play.

Senator PRESSLER. What was your assessment? A few years ago, COMSAT had problems with one of their principal employees, who I believe was indicted or convicted of embezzlement, or something like that. Are you familiar with that case?

Mr. GRISCOM. No, sir, I am not.

Senator PRESSLER. You have not heard about that?

Mr. GRISCOM. No, sir.

Senator INOUYE. I believe the record should show that the person you were referring to was convicted and he is serving out his sentence right now. He was with INTELSAT.

Senator PRESSLER. Yes, with INTELSAT.

I was going to ask what the duties of the directors are in oversight, aside from that.

What are the duties, on a day to day basis, of looking after the responsibilities of the officers?

Mr. GRISCOM. As far as being a board member?

Senator PRESSLER. Yes.

Mr. GRISCOM. I don't think there is anything different in being a board member for COMSAT as in being a board member for almost any corporation in this country. You are selected to serve and to look out for the interests of the shareholders, in this case the shareholders of COMSAT. If that means that not only do you look at areas where they may be interested in being involved and expanding their operation, but you make sure that it is consistent with the act that established COMSAT. Also, within a board operation you have various committees set up, whose responsibilities are to audit the company, to make sure that you are looking at the financial records, that are consistent and appropriate with what they are reporting; an administrative committee, which would look at the actual administration of such a company; and then, also, I am sure there would be a policy type committee, that looks into areas of conflicts of interest that may be raised by the people who are employed by COMSAT. So at least, the board has a chance to review the things that the company may be interested in doing.

I think in the case of being a member of this board, Senator, it is to make sure that you do have a broad enough knowledge of what is going on so that you can accurately and appropriately represent the shareholders who are involved with COMSAT.

Senator PRESSLER. Good.

Thank you very much.

Mr. GRISCOM. Thank you.

Senator INOUYE. Thank you, Senator.

The nominee should be pleased to know that the committee has received no objections to his nomination. In fact, all we have received were calls of support.

You will be pleased to know that your friend and mentor, Senator Howard Baker, had only good things to say about you.

Mr. GRISCOM. Sometimes I wondered, Mr. Chairman. I am glad to hear that.

Senator INOUYE. In fact, that is why you are here.

Mr. GRISCOM. Yes, sir.

Thank you.

Senator INOUYE. So, without objection, this nomination will be reported to the full committee for its next markup, and at that time appropriate action will be taken, I am certain favorably.

Mr. GRISCOM. Thank you, sir.

Senator INOUYE. Thank you.

The committee will stand in recess for a few moments.

[Whereupon, at 9:16 a.m., the committee adjourned, to reconvene upon the call of the Chair.]

○